

REMARKS

This Amendment is in response to the Office Action dated April 29, 2004. Claims 1, 6, and 9 have been amended and claims 13-18 have been added. Claims 1-18 are presently pending. No new matter has been added. The Applicants thank the Examiner for indicating that claim 12 is allowed.

Information Disclosure Statement

As indicated in the attached copy of the Utility Patent Application Transmittal, a copy of all citations in the IDS of December 29, 2000 was provided at the time of filing the patent application and IDS. To facilitate full consideration of this reference, the Applicants are providing another copy of the citation with this Amendment. The Applicants are also providing another copy of the Form 1449 and request that the Examiner review the citation, initial the Form 1449, and send a copy of the Form 1449 to the Applicants.

Drawings

The Office Action objected to Figures 1 and 2. Applicants have amended Figure 1 to show the correct inbound and outbound arrows on items 52 and 54 as shown on the initial informal drawings. Applicants have further amended Figure 2, step 114 to read "set last min-rate equal to found max-rate." Proposed drawing corrections are provided with this Amendment.

The Drawings were also objected to as failing to show the initial step of determining the characteristics of each link as described in the specification. As indicated in the Office Action, this corresponds to step 102 of Figure 2. This procedure is performed as described in the specification on page 7, lines 9-10 using the IMUXs 20, 22 and transmission lines 28 (28a-n). There is no additional structure to show. Accordingly, the Applicants request withdrawal of this objection.

Abstract and Specification

The Office Action object to the abstract and specification. The Applicants have made the requested corrections. Accordingly, the Applicants request withdrawal of these objections.

§102 and 103 rejections

Claims 1-6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,002,670 to Rahman et al. (hereinafter “Rahman”). Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Rahman in view of U.S. Patent No. 6,574,191 to Usukura et al. (hereinafter “Usukura”). Claims 8-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rahman in view of Usukura and in view of prior art allegedly disclosed by the Applicant. The Applicant traverses these rejections.

Claim 1 has been amended to recite the elements from allowed claim 12. Accordingly, claim 1, and claims 2-8 which depend from claim 1, are patentable over the cited references. The Applicants request withdrawal of the rejections of these claims.

Claim 9 has been rewritten as an independent claim. None of the cited references teaches or suggests that “at least one link is trained and set to idle status” as recited in claim 9. The Office Action admits that Rahman does not teach or suggest such an element.

The Office Action turns to Usukura and “infers that at least one transmission line (data link) is selected from the plurality of transmission lines (data links) and is set to backup (idle) status, since it can be switched without a delay in time.” The Applicant respectfully submits that Usukura does not teach or suggest what the Office Action infers.

There is no need to infer any scheme for failure of a communication line, as suggested by the Office Action, because Usukura has provided a complete description and that description does not teach or suggest the Applicant’s claimed inventions. Usukura explicitly describes and illustrates what occurs when a transmission line fails at Col. 11, line 58 to Col. 13, line 5 and Figures 10A,

10B, 10C, 11, and 12. In Usukura, lines 32a, 32b, and 32c are designated to transmit packets. Usukura states that when transmission line 32c fails "the packet which is to be sent out to the intermediate transmission line 32c at the time of a normal operation is alternatively distributed between the intermediate transmission lines 32a and 32b." (Col. 12, lines 34-37 and illustrated in Figures 10A, 10B, 10C, and 12) In other words, Usukura explicitly teaches that when one active transmission line (32c) fails, the packet load for that line should be distributed among other active transmission lines (32a, 32b). Usukura fails to teach a data link set to idle status and available to replace any one of the active trained data links that fails. Instead, Usukura provides an alternative that does not teach or suggest the Applicant's claimed inventions. None of the other cited references address this deficiency of Usukura.

Accordingly, for at least these reasons the Applicant respectfully submits that claim 9, and claims 10, 11, and 13-15 which depend from claim 9, are patentable over the cited references. The Applicant requests withdrawal of the rejection of these claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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Attachments